

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of **Lotke**

Application No. 10/773,684

Attorney Docket No. 4323-P03363US0

Filed: February 6, 2004

For: PATELLO-FEMORAL PROSTHESIS

Examiner: SNOW, Bruce Edward

Group Art Unit: 3738

Petition to Accept Unintentionally Delayed Claim Under 35 U.S.C. §119

Applicant petitions for the acceptance of the unintentionally delayed priority claim for the present application. In accordance with 37 C.F.R. 1.78, Applicant submits:

- i) An amendment, attached hereto, adding the priority claim under §119.
- ii) The filing fee set forth in §1.17(t)
- iii) Applicant's undersigned attorney states that the entire delay between the date of this petition and the date the claim was due under paragraph (a)(5)(ii) of 37 CFR 1.78 was unintentional.

Amendment to Specification

Please amend the specification to add the following before the first paragraph of the written description:

Priority Claim

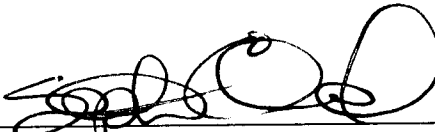
The present application claims priority to U.S. Provisional Application No. 60/535,967, filed on January 12, 2004.

Since Applicant has submitted all of the items required by 37 CFR
1.78(a)(6), Applicant requests that this Petition be promptly granted.

Respectfully submitted,

DANN, DORFMAN, HERRELL & SKILLMAN
A Professional Corporation
Attorneys for Applicant(s)

By

A handwritten signature in black ink, appearing to read 'Stephen H. Eland', is written over a horizontal line.

Stephen H. Eland
PTO Registration No. 41,010

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FEE TRANSMITTAL

Complete if known

Application Number: 10/773,684

Filing Date: February 6, 2004

First Named Inventor: Lotke

Group Art Unit: 3738

Examiner Name: Snow, Bruce E.

Total Amt. of Payment: (1)+(2)+(3)= **\$1,370**

Attorney Docket Number: 4323-P03363US0

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to:

☒ Charge indicated fees

☒ Charge additional fees

☒ Credit overpayments

to the account of DANN, DORFMAN, HERRELL & SKILLMAN

Deposit Account Number 04-1406

2. Payment enclosed:

Check in the amount of **\$1,370**

FEE CALCULATION

1. FILING FEE

Fee

Fee Description

Utility filing fee

Design filing fee

Plant filing fee

Reissue filing fee

SUBTOTAL (1) **\$0**

FEE CALCULATION (continued)

ADDITIONAL FEES

Fee Description

Fee Paid

Surcharge-late filing fee or oath

Surcharge - late provisional filing fee or cover sheet

Extension for response within third month

Notice of Appeal

Filing a brief in support of an appeal

Request for oral hearing

Petition to revive unavoidably abandoned appl.

Petition to revive unintentionally abandoned appl.

Issue fee

Petitions to the Commissioner

Petitions to accept delayed priority claims

1370

Submission of Information Disclosure Stmt.

Recording each patent assignment per property

Other fee (specify) _____

SUBTOTAL (3) **\$1,370**

2. Claims

Paid

Extra

Fee

Total Claims 54 -54 = 0 x 25 = 0

Independent Claims 6 -6 = 0 x 100 = 0

Multiple Dependent

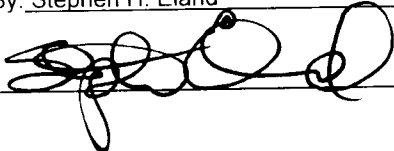
(First presentation)

SUBTOTAL (2) **\$0**

Submitted By: Stephen H. Eland

Reg. Number 41,010

Signature



Date July 17, 2007

Deposit Account User ID
04-1406